

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

CU-2559 RJS

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/857873

INTERNATIONAL APPLICATION NO.  
PCT/US99/30693INTERNATIONAL FILING DATE  
22 December 1999PRIORITY DATE CLAIMED  
23 December 1998TITLE OF INVENTION METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR AND ONE OR MORE  
ANTINEOPLASTIC AGENTS AS A COMBINATION THERAPY IN THE TREATMENTAPPLICANT(S) FOR DO/EO/US OF NEOPLASIA  
John P. McKEARN et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment. w/amended claim pages 233 & 234  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

Express Mail Label No.:  
EL698181195US

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS** PTO USE ONLY

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	103 - 20 =	83	X \$18.00
Independent claims	3 - 3 =	0	X \$80.00

\$ 1494.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$270.00

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 2354.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

**SUBTOTAL =**

\$ 2354.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =**

\$ 2354.00

Amount to be

refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ 2354.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 12-0400. A duplicate copy of this sheet is enclosed.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive 37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Ladas & Parry  
224 South Michigan Avenue  
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(312) 427-1300

June 12, 2001

SIGNATURE:

Richard J. Streit

NAME

25765

REGISTRATION NUMBER

531 Rec'd PCT/US 12 JUN 2001

DOCKET: CU-2559 RJS

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: John P. McKEARN et al

TITLE: METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR  
AND ONE OR MORE ANTINEOPLASTIC AGENTS AS A  
COMBINATION THERAPY IN THE TREATMENT OF NEOPLASIA

COMPLETION OF PCT/US99/30693 filed 22 December 1999

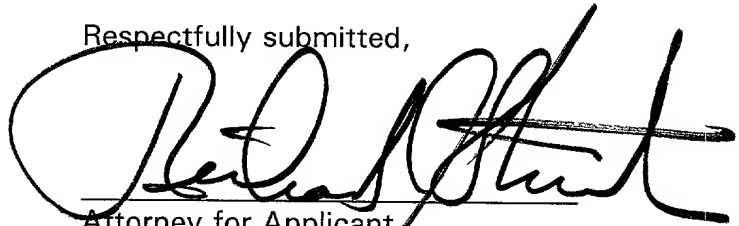
The Commissioner for Patents (DO/EO/US)  
Box PCT  
Washington, D.C. 20231**PRELIMINARY AMENDMENT**

Dear Sir:

Please amend the application being filed herewith under 35 USC 371.

**IN THE CLAIMS:**Please substitute the clean version of claim pages 233-234 attached  
herewith in place of original claim pages 233-234. A marked version of claim  
pages 233-234 is also attached herewith indicating the changes made therein.**REMARKS**It is noted that original claims 91-99 on original pages 233 and 234 were  
incorrectly numbered. Accordingly, the claims have been renumbered to be  
consecutive.

Respectfully submitted,



Attorney for Applicant

June 12, 2001

Date

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